

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

| | | |
|-------------------------------|---|--------------------------------|
| JOSE ALCANTAR-BARRERA, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| vs. |) | CIVIL NO. 09-cv-489-GPM |
| |) | |
| ROGER MULCH, et al., |) | |
| |) | |
| Respondents. |) | |

MEMORANDUM AND ORDER

MURPHY, District Judge:

Through counsel, Petitioner filed this action pursuant to 28 U.S.C. §§ 2241 and 2201 to challenge his continued detention pending deportation proceedings. He seeks leave to proceed *in forma pauperis*, and the Court finds that he is, in fact, indigent. Therefore, his motion for leave to proceed *in forma pauperis* (Doc. 2) is **GRANTED**.

IT IS FURTHER ORDERED that Respondents shall, within twenty-three (23) days of receipt of this application for Writ of Habeas Corpus, answer and show cause why the writ should not issue. Service upon the United States Attorney for the Southern District of Illinois, 750 Missouri Avenue, East St. Louis, Illinois, shall constitute sufficient service.

IT IS FURTHER ORDERED that pursuant to Local Rule 72.1(a)(2), this cause is referred to a United States Magistrate Judge for further pre-trial proceedings.

IT IS FURTHER ORDERED that this entire matter be referred to a United States Magistrate Judge for disposition, as contemplated by Local Rule 72.2(b)(2) and 28 U.S.C. § 636(c), *should all the parties consent to such a referral*.

Petitioner is **ADVISED** of his continuing obligation to keep the Clerk and each opposing party informed of any change in his whereabouts during the pendency of this action. This notification shall be done in writing and not later than seven (7) days after a transfer or other change in address occurs. Failure to provide such notice may result in dismissal of this action. *See* FED.R.CIV.P. 41(b).

IT IS SO ORDERED.

DATED: 7/9/09

s/ *G. Patrick Murphy*
G. Patrick Murphy
United States District Judge